
EXHIBIT D

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/9/13

Bond Number 3349772

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
NEW YORK**

LEEWARD CONSTRUCTION COMPANY, LTD.,
Petitioner,

Civil Action No. 12-CIV-6280
ECF CASE

-against-

AMERICAN UNIVERSITY OF ANTIGUA- COLLEGE
OF MEDICINE AND MANIPAL EDUCATION AMERICAS, LLC
f/k/a GCLR, LLC

Respondents

WHEREAS, in the above entitled Court, a Judgment confirming the arbitration award entered in this action on the March 28, 2013, against Respondent, American University of Antigua-College of Medicine ('AUA') and in favor of Leeward Construction Company, Ltd.,

And the said Respondent, feeling aggrieved thereby, intends to appeal therefrom to the United States Court of Appeals for the Second Circuit.

NOW, THEREFORE, the SureTec Insurance Company having an office and principal place of business for the State of New York, c/o Arthur B. Levine Company, Inc., located at 60 East 42nd Street, Room 965, New York, NY 10165 does hereby undertake in the sum of **One Million Seventy Three and 00/100th (\$1,073,000.00) DOLLARS**, that if the above-named Respondent shall satisfy judgment herein in full, if for any reason the appeal is dismissed or if the judgment is affirmed, and shall satisfy in full such modification of the judgment and such cost as the Appellate Court may adjudge and award, then this obligation shall be void, otherwise the same shall be and remain in full force and virtue.

DATE August 6, 2013

SureTec Insurance Company

By: 

Margaret McLaughlin,

Attorney - In - Fact

AS ORDERED 8/9/13

RUBY J. KRAJICK
CLERK OF COURT

BY _____

Deputy Clerk

POA #: 3210004

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Anita Hunter, Carol Levine, Sybil Levine, Margaret McLaughlin, Maria Sponza

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Three Million and 00/100 Dollars (\$3,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 6/30/2015 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

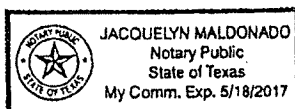


SURETEC INSURANCE COMPANY

By: [Signature]
John Knox Jr., President

State of Texas ss:
County of Harris

On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



[Signature]
Jacquelyn Maldonado, Notary Public
My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 6th day of August, 2013, A.D.

[Signature]
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.

SURETEC INSURANCE COMPANY

1330 Post Oak Blvd., Suite 1100

Houston, Texas 77056

(713) 812-0800

Financial Information:

As of:	Dec. 31, 2010	Dec. 31, 2011	Dec. 31, 2012
Total Assets	\$115,996,536	\$122,816,131	\$150,313,814
Total Liabilities	\$48,595,961	\$56,368,950	\$78,014,698
Asset to Liability Ratio	2.3	2.1	1.9
Capital	\$5,000,000	\$5,000,000	\$5,000,000
Net Surplus	\$62,400,576	\$61,447,182	\$67,299,115
Net Life Ins	N/A	N/A	N/A

Premiums:

As of:	Dec. 31, 2010	Dec. 31, 2011	Dec. 31, 2012
Life and Annuities	N/A	N/A	N/A
Accident and Health	\$0	\$0	\$0
Property and Casualty	\$22,482,231	\$18,257,067	\$18,692,583
Total Texas Premium	\$22,482,231	\$18,257,067	\$18,692,583
National Premium	\$46,273,274	\$50,023,232	\$51,843,573

CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK
INSURANCE LAW
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STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES

It is hereby certified that

SURETEC INSURANCE COMPANY
Of Houston, Texas

a corporation organized under the laws of the State of Texas and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law, and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$88,383,286 (Capital \$5,000,000) as is shown by its sworn financial statement for the Third Quarter of September 30, 2012, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have hereunto set my hand and affixed the official seal of this Department at the City of Albany, this 20th day of November, 2012

Benjamin M. Lawsley
Superintendent

By *Jacqueline Cataffano*
Jacqueline Cataffano
Special Deputy Superintendent